

**DECLARATION - USA PATENT APPLICATION**

As below-named inventors, we hereby declare that:

Our residences, post office addresses and citizenship are as stated below next to our names;

We believe we are the original inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled **GRAPEVINE NAMED 'SUGRATWENTYEIGHT'**;

**AVERMENT UNDER 37 C.F.R. §1.162**

We, DAVID W. CAIN and MICHAEL J. STRIEM, originated by hybridization a new and distinct variety called **GRAPEVINE NAMED 'SUGRATWENTYEIGHT'** and have asexually reproduced plants of this variety;

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claim;

We acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56; and

**POWER OF ATTORNEY:** We hereby appoint the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, 14<sup>th</sup> Flr., Irvine, California 92614, Telephone (949) 760-0404, **Customer No. 20,995.**

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

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Full name of first inventor: **DAVID W. CAIN**

Inventor's signature: David W. Cain

Date: May 21, 2003

Residence: **6713 Mellon Ct., Bakersfield, California 93308**

Citizenship: **U.S.A.**

Post Office Address: **Same as above**

Full name of second inventor: **MICHAEL J. STRIEM**

Inventor's signature: Michael Striem

Date: 4-10-03

Residence: **12412 Sawtooth Ave., Bakersfield, CA 93312**

Citizenship: **Israel**

Post Office Address: **Same as above**

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Send Correspondence To:  
**KNOBBE, MARTENS, OLSON & BEAR, LLP**  
**Customer No. 20,995**

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant	:	Cain, et al.	)
			)
App. No.	:	UNKNOWN	)
			)
Filed	:	HEREWITH	)
			)
For	:	GRAPEVINE NAMED	)
		'SUGRATWENTYEIGHT'	)
			)
Examiner	:	UNKNOWN	)
			)

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ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION  
AND  
REVOCATION AND POWER OF ATTORNEY

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040 Main Street, 14<sup>th</sup> Flr. Irvine, California 92614, Telephone (949) 760-0404, **Customer No. 20,995**, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

SUN WORLD INTERNATIONAL, INC.

Dated: 5-29-03

By: David O. Marguleas  
David O. Marguleas

Title: Senior Vice President,  
Marketing & Corporate Development

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